

Express Mail Label No.: **EV 533189943 US**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): **Mark D. Cocharn, et al.**

Application No.: **09/881,457**

Filed: **06/14/2001**

For: **RECOMBINANT HERPESVIRUS  
USEFUL IN VACCINE PRODUCTION**

Group Art Unit: **1648**

Examiner: **Ali Reza Salimi**

Docket No.: **SY01105K1QKQK**

X

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

(a) Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, it is requested that the documents listed on the accompanying Form PTO-1449 be considered and made of record in the above-identified patent application. Copy(ies) of these documents ☒ are enclosed ☐ were filed in related U.S. Application No(s) \_\_\_\_\_ filed \_\_\_\_\_, respectively.

(b) No fee is believed to be due because:

- ☐ This Information Disclosure Statement is being submitted concurrently with the filing of the above-identified application; **or**
- ☐ This Information Disclosure Statement is being submitted within three (3) months of the filing date of the above-identified application; **or**
- ☒ This Information Disclosure Statement is being submitted concurrently with a Request for Continued Examination (RCE); **or**
- ☐ This Information Disclosure Statement is being submitted prior to the mailing of a first Office Action on the merits.

(c) ☐ This Information Disclosure Statement is being submitted before the mailing date of any final action, notice of allowance, or an action that otherwise closes prosecution; and:

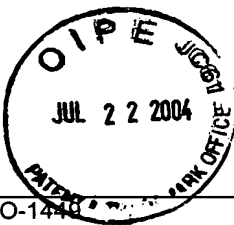
- ☐ Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; **or**
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c), more than three months prior to the filing of this Information Disclosure Statement; **or**

- ☐ The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.
- (d) ☐ This Information Disclosure Statement is being submitted on or before the payment of the issue fee; and:
- ☐ Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; **or**
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c), more than three months prior to the filing of this Information Disclosure Statement; **and**
- ☐ The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-0365. A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

Respectfully submitted,

Dated: July 22, 2004  
Schering-Plough Corporation  
Patent Department, K-6-1, 1990  
2000 Galloping Hill Road  
Kenilworth, NJ 07033-0530  
Facsimile No.: (908) 298-5388

By: Michael D. Davis  
Name: Michael D. Davis  
Reg. No.: 39,161  
Attorney of Record  
Telephone No.: (908) 298-2194

Sheet 1 of 1

FORM PTO-1448 <b>U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</b> <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use several sheets if necessary)</i>	ATTY. DOCKET NO.: SY01105K1QKQK	APPLICATION NO.: 09/881,457
	APPLICANT: Mark D. Cochran, et al.	
	FILING DATE: 06/14/2001	GROUP: 1648

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	BF	5,138,033	08/11/92	Velicer, et al.			
	BG	5,187,087	02/16/93	Sondermeijer, et al.			
	BH	5,231,023	07/27/93	Morgan			
	BI	5,252,716	10/12/93	Velicer, et al.			
	BJ	5,283,191	02/01/94	Morgan, et al.			
	BK	5,470,734	11/28/95	Sondermeijer, et al.			
	BL	5,506,128	04/09/96	Cochran, et al.			
	BM	5,686,287	11/11/97	Baxendale			
	BN	5,690,939	11/25/97	Morgan, et al.			
	BO	5,763,269	06/09/98	Cochran, et al.			
	BP	5,834,305	11/10/98	Cochran, et al.			
	BQ	5,866,697	02/02/99	Velicer, et al.			
	BR	5,928,648	07/27/99	Cochran			
	BS	5,961,982	10/05/99	Cochran			
	BT	5,965,138	10/12/99	Cochran, et al.			
	BU	5,976,787	11/02/99	Velicer, et al.			
	BV	6,051,404	04/18/00	Morgan, et al.			
	BW	6,087,127	07/11/00	Velicer, et al.			
	BX	6,183,753	02/06/01	Cochran, et al.			

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	BY	0 423 869 B1	07/12/95	EP				
	BZ	0 431 668 B1	02/15/95	EP				
	CA	0 473 210 B1	04/13/94	EP				
	CB	0 486 106 A2	05/20/92	EP				
	CC	0 513 921 B1	08/09/95	EP				
	CD	WO 87/04463	07/30/87	WIPO				
	CE	WO 92/03547	03/05/92	WIPO				
	CF	WO 02/36617 A2	05/10/02	WIPO				

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**


EXAMINER	DATE CONSIDERED
----------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.